L'HÉMISPHÈRE,

JOURNAL FRANÇAIS ET ANGLAIS—FRENCH AND ENGLISH JOURNAL.

No. 46. PHILADELPHIE, 30 JUIN, 1811. Vol. 2.

CONSTITUTIONAL LAW OF THE COUNCIL OF STATE,

WHICH ESTABLISHES THE KINGDOM OF HAYTI.

The State Council, assembled for the purpose of deliberating on the necessary changes to be made in the Constitution of the state of Hayti, for the better regulation of government.

Considering, when the Constitution, formed the 17th of February, 1807, was proclaimed to the world, the state, literally speaking, was without a social compact, and the threatening storm of a violent civil war arising, made it impossible for the representatives of the people to fix, irrevocably, upon a mode of government, suitable to the people's wishes.

And such a constitution, imperfect as it was, and the representatives themselves did not dissimulate with regard to its imperfection, answered the crisis, in which it sprung up, its cradle surrounded by storms.

But the small number of sublime principles it contained, was, nevertheless, sufficient for the people, as it fixed all the rights of the people, in those lamentable times.

Considering that now, thanks to the genius of the supreme Magistrate who holds the reins of state, the high conceptions and the bright valor whereof caused to restore order, happiness and prosperity.

The flourishing state of cultivation, of commerce and navigation, the re-establishment of customs, of morals and religion, the high established discipline both in the army and navy, seem to promise an eternal continuance to the state.

That it is expedient to day more so than ever to establish an order of solid and lasting things, the mode of government which must for ever govern the country who gave us the existence.

Considering that it is urgent to confer the sovereign authority with an august grand qualification that may render the idea of the majesty of the power.

That the erection of a hereditary throne is the necessary consequence of that powerful consideration.

That the rights of inheritance of power to the only male and legitimate children (to the perpetual exclusion of women). In an illustrious family, constantly devoted to the glory and to the happiness of the country which owes him its political existence, is as much a duty as it is a noble mark of national gratitude.

That the nation who at this instant, is, by our means using her will and sovereignty, by trusting them to him who has raised her from the abyss and from the precipice where his most inveterate enemies would have destroyed her, to him who now governs her with so much glory, that this nation has nothing to fear from its liberty, its independence and its happiness.

That it is likewise convenient to establish grand dignities, as much to elevate the splendor of the throne,

as to reward signalised services rendered to the country, by officers who are devoted to the happiness, the glory and the prosperity of the state.

The Council of State pass in consequence the following organic law:

TITLE THE FIRST.

OF THE FIRST AUTHORITY.

ART. 1. The President HENRY CHRISTOPHE is declared King of Hayti, by the name of HENRY.—This title, his prerogatives, his immunities, will be hereditary in his family, in the males and legitimates offsprings in direct line, by the right of primogeniture, to the exclusion of women.

2. All acts of the Kingdom be in the name of the King, promulgated and published under royal seal.

3. For want of male children in direct line, the heirship will pass to the family of a Prince the nearest kin to the King or the most ancient in dignity.

4. However it will be lawful for the King to adopt the children of such a Prince of the kingdom as he shall think fit for want of heir.

5. If it should come unexpected to him, after the adoption, of male children, their rights of heir shall prevail upon the adoptive children.

6. At the decease of the King and until his successor be acknowledged, the affairs of the kingdom will be governed by the Ministers and the King's Council, which shall be formed in general Council and who shall deliberate to the majority of votes. The Secretary of State holds the register of deliberation.

TITLE II.

OF THE ROYAL FAMILY.

7. The Spouse of the King is declared QUEEN of Hayti.

8. The members of the Royal Family will bear the title of Princes and Princesses. They are styled Most Serene Highness. The heir apparent is denominated Prince Royal.

9. Those Princes are members of the State Council as soon as they have attained their majority.

10. The royal Princes and Princesses cannot be married without the authorisation of the King.

11. The King makes the organisation of his Palace himself in such a manner according to the dignity of his crown.

12. There shall be established, by the King's orders, Palaces and Castles in the parts of the kingdom he shall think fit to design.

TITLE III.

OF THE REGENCY.

13. The King is minor to the age of full 15 years; during his minority, he shall be named a Regent of the kingdom.

14. The Regent shall be at least full 25 years old, and be chosen among the Princes the nearest in kin to the King (to the exclusion of woman) and for their want, among the Great Dignitaries of the kingdom.

15. For want of a Regent's designation by the King the Grand Council will design one in the manner which is prescribed in the preceeding article.

16. The Regent exercise until the full age of the King, all attributions of the Royal Dignity.

17. The Regent cannot conclude any treaty of peace, of alliance, or commerce, nor cause any declaration of war, but after serious deliberation, and by the advice of the Grand Council, the opinion shall be put to the majority of votes, and in case of equality of suffrage, the one that shall be found suitable to the advice of the Regent shall turn the scale.

18. The Regent can neither ap-

point to the Grand Dignities of the kingdom nor to the offices of General officers of the army both by land and sea.

19. All acts of the Regency are in the name of the Minor King.

20. The Minor King's guard is entrusted to his Mother, and for want of it, to the Prince designed by the deceased King, cannot be elected for the Minor King's guard, either the Regent and his posterity.

TITLE IV.

OF THE GRAND AND PRIVATE COUNCIL.

21. The Grand Council is composed of the Princes of the blood, of the appointed Princes, Dukes and Counts, and at the choice of his Majesty, who himself fixes the number of it.

22. The Council is presided by the King, and when it is not presided by himself, he designs one of the grandees of the kingdom to fill that function.

23. The Private Council is chosen by the King among the Grand Dignitaries of the kingdom.

TITLE V.

OF THE GRAND OFFICERS OF THE KINGDOM.

24. The Grand Officers of the kingdom are the Grand Marshals of Hayti; they are chosen among the generals of all grades, according to their merits.

25. Their number is not fixed: the King determines at every promotion.

26. The places of the Grand Officers of the kingdom are unremovable.

27. When by an order of the King or for reason of invalidity, one of the great officers of the kingdom should come to cease his functions, he shall preserve his titles, his rangs, and the half of his treatment.

TITLE VI.

OF THE MINISTERS.

28. There will be in the kingdom four Ministers by the choice and by the appointment of the King.

The Minister of War and of Marine.

The Minister of Finances and of the Interior.

The Minister of Foreign affairs,

And that of Justice.

29. The Ministers are Members of Council and have deliberative votes.

30. The Ministers give in their accounts directly to his Majesty, and take his orders.

TITLE VII.

OF OATHS.

31. At his accession or at his majority, the King takes an oath upon the Gospel, in the presence of the grand authorities of the kingdom.

32. The Regent, before commencing the exercise of his functions takes oath also, accompanied by the same authorities.

33. The tutelars of the grand offices, the grand officers, the ministers and the secretary of state take likewise their oath of fidelity into the hands of the King.

TITLE VIII.

OF THE PROMULGATION.

34. The promulgation of all acts of the kingdom is thus expressed :—

We by the grace of God and the Constitutional Law of the state, King of Hayti to all that are and shall be, GREETING.

Those acts terminates thus as follows:

We send and order that the present, drawn up with our seal, be ad-

dressed to all administrative courts tribunals and authorities, to be transcribed in their registers, observed and caused to be observed in the whole kingdom and the minister of justice is directed with the promulgation.

35. The executory expeditions of judgements of courts of justice and tribunals, are digested as follows: We by the grace of God and the state constitutional law, King of Hayti to all that are and shall be, GREETING.

Follows the copy of the decree or sentence:

We command and order to all Huissiers on this request, to put the said judgement in execution, to our procurors near the tribunals to see it done; to all our commanders and officers of the public force to give assistance, when legally required.

IN WITNESS whereof the present judgement has been signed by the President of the court and the recorder. Done by the State Council of Hayti, at the Cape Henry, the 25th of March 1811, eighth year of independence.

signed, **PAUL ROMAIN**, *president.*
ANDREW VERNET,
TOUSSAINT BRAVE,
JOHN PHILIP DAUX,
MARTIAL BESSE,
JOHN PETER RICHARD,
JOHN FLEURY,
JOHN BAPTISTE JUGE,
STEPHEN MAGNY, *secretary.*

We, the Apostolical Prefect and general officers both by land and sea administrators of finances and officers of justice, under subscribed as well in our personal names as in that of the army and of the people for which we are here the organs, we join both from good will and inclination, to the state council, for the proclamation of his majesty Henry Christophe, king of Hayti, our wish and that of the people being such for a long time.

C. BRELLE, Apostolical Prefect.
N. JOACHIM, } Lieutenant generals.
JOHN-PHILIP DAUX, }
ROUANEZ, }
PETER TOUSSAINT, } Maréchaux de camp.
RAPHAEL, }
LOUIS ACHILLE, }
CHARLES CHARLOT, }
COTTEREAU, }
JASMIN, }
PREVOST, }
DUPONT, }
CHARLES PIERRE, }
GUERRIER, }
SIMON, }
PLACIDE LEBRUN, }
BASTIEN JEAN-BAPTISTE, } Contre amiraux.
PETER SAINT-JEAN, }
DUPUY, Interpreter of government.

ALMANJOR, jun.
HENRY PROIX,
CHEVALIER,
PAPALIER,
RAIMOMD
SICARD,
FERRIER,
DOSSOU,
CAZE,
} Brigadiers of the armies.

BASTIEN FABIEN,
CADET ANTOINE,
BERNARDINE SPREW,
} Chiefs of division of the marine.

STANISLAS LATORTUE,
JOSEPH LATORTUE,
} Intendants.

DELON, Comptroller.
JOHN-BAPTISTE PETIT, Treasurer.
P. A. CHARRIER, Director of domaines.
L. RAPHAEL, Director of Customs.
BOYER, Keeper of the central magazine.
JUSTE HUGONIN, Comissary general of government near the tribunals.
ISAAC, Justice of the Peace.

LAGROUE,
JUSTE CHANLATTE,
} Notaires.

THE COUNCIL OF STATE,

To the People and to the Army of Hayti, both by Land and Sea.

FELLOW-CITIZENS,

Your proxies have again assembled for the purpose of revising the constitution of Hayti, of February 17, 1807, 4th year. Having to decide with authority upon your dearest interests, they have effected it with all the zeal, the patriotism they are susceptible. In order to answer your trust, they have sent for the most enlightened Haytians to join them; they have brought to maturity, in the quietness of a cabinet council, the form of government suitable to the country who has brought us into the world; they have never lost sight of your happiness, to which theirs depends; they present you with the fruit of their application.

When the state, threatened by conspirations that were forming in her bosom, and moreover excited by our most cruel and exasperated enemies, presented the image of jolt and of a general confusion, the *Great Man* who governs us felt the necessity of a social compact, around whom the Haytians could unite, for whom the name of the country *Patria* is not a vain title; he called us together: we

met with eagerness to favour his views, and to offer you with the code of laws we had determined upon. We did not at the time dissimulate that this work was not entirely finished; we thought that the principles we had proclaimed could at least answer for the times of crisis in which we found ourselves; and seeing the storms roaring around the vessel of state, we stayed then to exercise the revisal of our work, to perfect it and to adapt it the better yet to our usages, to our laws, to our morals. In this flattering hope, we were waiting, that the roaring of storms should be at an end, the heavens being more clear should permit us to resume our work.

Thanks to the tutelary genius of Hayti, thanks to the Supreme Magistrate, thanks to his high conceptions, to his brilliant valor, to his courage, to his activity, victory, faithful to his military exploits, has under his standards, calm revived, order is restored, discipline is recovered in the army and navy, conspirations are smothered, conspirators punished, justice has resumed its course, moral and public instruction are improving, cultivation and commerce have been meliorated; at last happiness and prosperity have made their appearance again, and promise the state perpetuity; we have thought the happy opportunity offered to improve institutions we had but the first draught made, and we have exclaimed: *The times are come!*

To guard against us from those frequent concussions, from those horrible convulsions that have so often agitated and overthrown the political body, to put a stop to the flood and ebb of passions, to the under-hand dealing of intrigue, to the rage of factions and to the re-action of cabals; in one word, to avoid for ever that jolt, that confusion and that perpetual shock which is the result of those monstrous associations known by the name of *Popular Bodies;* we have felt the necessity of an only Chief in the mighty hands of whom there should be no more bruisings; our hearts have been in analogy with those of the people and the army, who have understood that the government of an only one is the most natural, the less subject to vexations and disasters, and the one which unites to the supreme degree the power to maintain our laws, to protect our rights, to defend our liberty and able to cause us to be respected abroad.

But it was but little to bestow the sovereign authority with a grand, imposing qualification, that would bear the idea of the majesty of the power, that would inspire that inseparable respect of the royal authority, and that should give all the latitude possible to do good, in acknowledging but the law above his will; it was yet required, in case of the throne being vacant, to consider the means the most proper to prevent civil insuperable quarrels, to maintain peace and fixity of the political body; and the hereditary succession has appeared to us the most suitable to answer that important end.

Going from those lofty considerations to essential others, to surround the splendor of the majesty of the throne, we have applied ourselves to the institution of a hereditary nobility, the honor of which be the characteristic, whose fidelity be able to stand all test, whose devotedness be without limits, who may know how to live, conquer or die for the support of that throne, from whom it draws its first brightness.

We have analysed the power, the attributions and the denominations

granted in every part of the earth, to those superior beings, evidently born to command his equals, and holding in this world (here below) a portion of the Divinity's dominion to whom they are accountable for all the goods and evils which result from their administration, and by the application which we have made of those which have been succeeded in the government of our island, since we have taken up arms to maintain our rights, and finally since the expulsion of our enemies and the proclamation of our independence, we have acknowledged that the title of gov. gen. given to the pious, to the virtuous general in chief Toussaint Louverture of glorious memory, and then primitively to the immortal founder of independence, could by no means become the dignity of the supreme magistrate, as it would appear that such a denomination was only good at the most for an officer in the pay of some power or other; on the other side, the magnificent title of emperor given to general in chief Dessalines, although worthy of being offered to him, for the eminent services which he had rendered to the state, to his fellow-citizens, was wanting for accuracy in his application. An emperor is understood commanding to other sovereigns, or at least so elevated on qualification, supposes to him who possesses it not only the same powers and the same authority, but yet the real and effective dominion of the territory, of the population, &c. &c. &c. and finally the momentary title of *President* given to his successor the Great HENRY, our august chief, does not give the idea of the sovereign power, and cannot be applied but to an aggregation of men gathered together for such functions, or to a judiciary body, &c. *That the example of the United States, which are governed by a President, cannot change our opinion with respect to the insufficiency of that title; that the Americans having adopted the federal government, can find themselves well, as a new people, with their actual government, we have moreover considered that however we appear to be in the same hypothesis as the Americans*, as a new people, we had the needs, the manners, the virtues, and even, we will tell it, the vices of the ancient peoples. From all the imitations of governments, the one who has appeared to us to deserve with more accuracy the preference, is that which holds the intermediary between those who have been put in practice till now in Hayti; we have acknowledged, with the great Montesquieu*, the excellency of the paternal monarchical government preferable to other governments. The extent of the territory of Hayti is more than sufficient for the forming of a kingdom; many states in Europa, acknowledged by all established potentates, have not even the same extent nor the same resources, nor the same riches, nor the same population. As for the same warlike ardor and for the martial character of the people of Hayti, we abstain from speaking of it, his glory is known all over the world; and very hard of belief would be those who should doubt of it!

The erection of an hereditary throne in the family of a great man who has governed this state with so much glory, has then appeared to us a sacred and imperious duty as much as a striking mark of national gratitude. The soundness of his intentions, the loyalty of his soul, are sure warrants that the people of Hayti will have nothing to fear for its liberty, its independence and its

* Montesquieu, Spirit of the Laws, (*Esprit des Lois*) chap. xi.

felicity. The natural consequence of the erection of a throne was the foundation of an order of hereditary nobility, in which should be admissible all distinguished citizens who have rendered important services to the state, either in the military career, in the magistracy, in that of sciences and Belles Lettres. We have then raised the splendor of the throne by that illustrious institution, which is going to excite a generous emulation, a blind devotedness to the service of the prince and the kingdom.

If it was required to justify our choice, relate examples, we would find many in history. How many great men, mechanics of their own fortune, by the only help of their genius, by the vigor of their energy, have founded empires, at a great distance formed limits, have given to their nation, with the taste of knowledges and the arts, the precious advantages of a society wisely organised. Without going any further, we will relate the striking model of that sort, which just offered to his contemporaries, the extraordinary man, our implacable enemy; that which all thoughts have for objects our destruction, and who is now so entirely reigning in Europe; what was he before the commencement of that famous revolution, by the result of which he owes his rapid elevation. Nothing but a frail reed, the fragil and precarious existence of which was far from foreseeing so high a degree of glory and power. As those who have raised him to the supreme power, we make use of the quality of men, we hold from nature; after having conquered over again our rights, our liberty and our independence, we will establish, in this new world, an hereditary monarchy, and we hasten to fix at last the destinies until now uncertain in this country, by declaring that HENRY is elevated to the sovereign power; that the throne is hereditary in his family, and that the happiness of the Haytians dates from the era of the foundation of the sovereign power in those places.

Fellow-citizens, by placing the fundamental basis of the kingdom we have just erected, we believe to have answered to the high trust you had placed in us. If any envious or pussilanimous detractors should rise against the new Institutions which we have adopted; we would answer them that it is time to break for ever to the semblance of a foolish hope what our enemies may yet entertain. That if those very enemies were not disgusted from the terrible experience they have had; and if in the delirium of their rage, they should bring on our territory, their battalions made thirsty of our blood, let them find at their approach a whole people, who has already made the essay of his force, trained up yet by effect of his divisions and grown familiar with the danger of battles, in arms, ready to dispute them the country they will invade; let them see a famed monarch, the 19th century of which will be honored, so often crowned with laurels of victory, united, surrounded with his faithful nobility, dare dangers, to expire even for the welfare of his people, and bury himself under the ruins of his throne rather than curb under the shameful yoke. Let the fortunate people of the handsome Hayti, so favored by nature, unite around the constitutional law, which the only end of his happiness has inspired us; let him swear to defend it, and then we will be able to dare all the tyrants of the universe.

Fellow-citizens, we will be too well paid for our labours, if, in the warranty of our rights, you find, with all the happiness we have been wil-

ling to make you enjoy, new reasons to love the government of our community.

Done at Cape Henry, April 4th 1811, eight year of independence.

Signed, **PAUL ROMAIN**, *president*.
ANDREW VERNET,
TOUSSAINT BRAVE,
JOHN PHILIP DAUX,
MARTIAL BESSE,
JOHN PETER RICHARD,
JOHN FLEURY,
JOHN BAPTISTE JUGE,
STEPHEN MAGNY, *secretary*.

EDICT OF THE KING,

Which erects an Archbishop see within the capital of Hayti, and bishop sees in various cities of the Kingdom.

HENRY, *by the grace of God and the Constitutional Law of the State, King of Hayti, to all that are and shall be,* GREETING.

Desirous of the faithful Haytians enjoying all the advantages of the Catholic Religion, both Apostolic and Roman and to give to the church of our kingdom a splendor capable to attract to it veneration and respect and preserve worship in all its purity; wishing to procure also to our faithful subjects, a perpetual administration of the holy church's sacraments. We have resolved to erect an Archbishoprick see in the capital, and Bishop's sees within the principal cities of the kingdom, and to establish thereto Prelates capable of maintaining Ecclesiastical discipline and to work to the propagation of the faith. For those reasons, we have created and erected by these presents, we create and erect the Archiepiscopal see and Bishop sees which are hereafter designed.

ARTICLE FIRST.

A Bishoprick shall be erected within the three secondary cities of the kingdom; to wit: Gonaives, Port-au-Prince and Cayes. Every Bishoprick shall have a chapter, a seminary, and likewise their establishment, we shall assign a fixed income to each of the said Bishopricks.

ARTICLE SECOND.

The Episcopal see of our city of Cape Henry, is erected into an archbishopric the other Episcopal sees of the kingdom whereof are holding and shall be suffragans.

ARTICLE THIRD.

We shall assign immediately Palaces and incomes to the Archbisoprick of Cape Henry, and the domains on which the said incomes shall be settled.

ARTICLE FOURTH.

It is our pleasure that the Archbishop of Cape Henry, take the title of *Archbishop of Hayti and Grand Almoner to the King.*

ARTICLE FIFTH.

As soon after his appointment his Majesty shall solicit from the Pope, the necessary bulls for the exercise of his high functions, and of the other Prelates who shall be called to fulfill the Bishop's functions within the erected sees as by Article first of the presents.

ARTICLE SIXTH.

We forbid all foreign Priests from exercising any ecclesiastical function nor even to celebrate mass, in any of the kingdom's parishes, before he shall have presented himself to the Archbishop, and to have from him obtained a permit in writing.

ARTICLE SEVENTH.

In case the said Priest be judged by the Archbishop capable of being employed in the kingdom, he will make it known to us, and obtain our pleasure, before they are put into functions.

We command and order that the presents, be clothed with our seal, be addressed to all the courts, tribunals, and administrative authorities, in order that they be transcribed in their registers be observed and caused to be observed throughout the kingdom, and the minister of justice is directed with the present's promulgation.

Given in our Palace at the Cape Henry April 7, eight year of independence.

SIGNED, **HENRY.**

BY THE KING,
The Minister Secretary of State,
DUKE OF MORIN.

THE KING'S ORDINANCE

For the creating of Princes, Dukes, Counts, Barons and Knights of the Kingdom.

HENRY, by the grace of GOD and the State Constitutional Law, King of Hayti to all that are and shall be, *Greeting.*

As a consequence of our Edict of April fifth, which creates an hereditary Nobility. We have conferred the following titles and dignities, to the here under named officers:

PRINCES.

Prince Noel, colonel general of the King's house, arch butler.
Prince John, master of the pantry.
Lieutenant general Andrew Ver-

net, prince of Gonaives, grand marshal of Hayti, minister of finance and of the interior.

Lieutenant general Paul Romain, prince of Limbe, grand marshal of Hayti, minister of war and Marine.

DUKES.

The apostolical Prefet Corneille Brelle, archbishop of Hayti, duke of Anse, grand almoner of the King.

Lieutenant general Rouanez, duke of Morin, grand marshal of Hayti, minister of state and of foreign affairs.

Lieutenant general Toussaint Brave, duke of Great River, grand marshal of Hayti, great huntsman, inspector general of the King's armies' musters.

Lieutenant general Noel Joachim, duke of Fort-Royal, grand marshal of Hayti, and grand marshal of the palace, commanding the first division of the north.

Lieut. gen. Stephen Magny, duke of Plaisance, grand marshal of Hayti, grand chamberlain of the King, commanding the second division of the north.

Lieutenant general John Philip Daux, duke of Artibonite, grand marshal of Hayti, commanding the province of the west.

General Bernardine Sprew, duke of Port-Margot, grand admiral of Hayti, governor of the Prince Royal.

COUNTS.

Counsellor of State Juge, count of Terre-Neuve, minister of Justice.

Major general Martial Besse count of St. Suzan, commanding the first district of the first division of the north.

Major general Peter Toussaint, count of Marmelade.

Major general John Peter Richard, count of the Bande du Nord, governor of the capital.

Major general Lewis Achille, count of Laxavon, commanding the second district of the first division of the north.

Major general Joseph Raphael, count of Ennery, commanding the second district of the province of the west.

Major general Charles Charlot, count of Acul, commanding the first district of the second division of the north.

Major general Peter Cottereau, count of Cahos, governor of Dessalines.

Major general Maximin Jessemin count of Dondon, governor of Fort-Henry.

Major general Toussaint Dupont, count of Trou, inspector general of the cultivations of the kingdom.

Major general Charles Peter, count of Terrier Rouge, governor of the King's Pages, aid de camp of his majesty and master of ceremonies.

Major general Guerrier, count of Mirebalais aid de camp of his majesty, commanding the first district of the province of the west.

Major general Simon, count of St. Louis, aid de camp of his majesty and master of ceremonies.

Major general Placide Lebrun, count of Gros-Morne, aid de camp of his majesty, and commanding the second district of the 2d division of the north.

Rear admiral Bastien Jean Baptiste, count of Leogane.

Rear admiral Peter St. Jean, count of Presqu' Isle.

M. Bernard Juste Hugonin, count of Richeplain, attorney general to the King.

M. Juste Chanlatte, count of Roziers, knight of honor to the Queen, Intendant general of the King's palace.

The lieutenant colonel Yacinthe, count of Borgne colonel of the life

guard and governor of the Queen's pages.

Lieutenant colonel Toussaint, count of Ouanaminthe, grand master of the horse.

The under-named officers have been appointed

BARONS.

BRIGADIER GENERALS.

Thabares, Almanjor, jun. Henry Proix, Chevalier, aids de camp of his majesty.

Papalier, employed near the Minister at war.

Raymond, employed near the duke of Fort Royal.

Dessalines, adjutant of arms of the place of Cape Henry.

Sicard, grand master of ceremonies.

Dossou, commanding the 14th regiment of infantry.

Ferrier, aid de camp to his majesty.

Caze, junior.

Louis Pierrot, commanding the 1st regiment of infantry.

CHIEFS OF DIVISION OF THE MARINE.

Bastien Fabien, Cadet Antoine.

COLONELS

Peter Rouge, Celestin Cap, John Charles Charlot, Theodore Galbois.

Bottex, Léo, aids de camp of his majesty.

Monpoint, commanding the King's horse guards.

Joseph Gerome, commanding the 20th regiment of infantry.

Bartholomew Choisy, commanding the 8th infantry regiment.

Faraud, director of fortifications.

Ambroise, director of artillery.

Deville, commanding the 2d artillery regiment.

Pescay, commanding the 2d infantry regiment.

Lagroue, secretary and notary of the King.

Dupuy, secretary interpreter to the King.

The justice of peace Isaac, baron Seneschal of Cape Henry.

Beliard, the King's head gardener, chief over the rivers and forests of the King's palaces.

Stanislas Latortue, comptroller of finances of the province of the North.

Joseph Latortue, comptroller of finances of the province of the West.

Charrier, director of the domains of the province of the North, Secretary of the injunctions of the Queen.

L'Eveillé, lieutenant colonel of the 1st. squadron of the King's horse guard, first horseman to the Queen.

John Baptiste Petit, central Treasurer.

Dominique Bazin, Preceptor to the Prince Royal.

KNIGHTS.

Lacroix, colonel of Fortification.

Blaise, Cincinnatus, Celestin Petigny, Bocher, John Baptist Dezorme, lieutenant colonels and aids de camp of H. M.

Prezeau, secretary to the King.

Vilton, Gentleman of the King's horse.

Giles Creon idem, lieutenant colonel of the 3d. squadron of the king's horse guard.

Dupin, assistant preceptor to the Royal Prince.

Beaubert, judge to the civil tribunal.

Boyer, keeper of the central magazine.

We command and order that the presents drawn up with our seal, be addressed to all courts, tribunals and

administrative authorities, that they may be transcribed in their registers observed and caused to be observed within the whole kingdom; and the minister of justice is charged with the promulgation.

Given in our palace at Cape Henry the 8th April 1811 the eight year of independence.

Signed, **HENRY.**

BY THE KING,

The Minister Secretary of State,

DUKE OF MORIN.

The title of *Royal Highness* is given to Princes and Princesses of the royal family.

The heir apparent of the crown is called the *Prince Royal.*

The eldest daughter of the King is called *Madame the first*, the youngest *Madame.*

The title of *Most Serene Highness* is given to the Princes of the kingdom and to the titularies of the grand dignities.

The title of *My Lord (Monseigneur)* is given likewise to the Princes and titularies of the grand dignities of the kingdom.

A grand Marshal of Hayti is called *Monsieur le Maréchal*, when speaking with or writing to the title of *Monseigneur.* Dukes and grand Marshals of Hayti have the title of *Grace.*

The Ministers preserve the title of *Excellence.* The functionaries of their departments and the persons writing give them the title of *Monseigneur.*

The Counts, Barons and Knights of the kingdom are called *Monsieur le Comte*, *Monsieur le Baron*, &c.

The title of Excellency is given to Counts.

EDICT OF THE KING,

Which is determining the Grand Costume of the Nobility.

His majesty commands that the Grand Costume of the Nobility be as follows:

FOR THE PRINCES AND DUKES.

White tunic, to descend under the knee, black mantle, the length whereof shall descend to the calf of the leg, embroidered in gold, three inches wide, lined with red taffety, tied round the neck with a gold tassle, white silk stockings, square gold bucles, red morocco shoes, entirely covering the instep, sword with gold handle on the side, round hat cocked before, gold laced, with five white & red feathers wavering.

FOR THE COUNTS.

White tunic, sky blue mantle embroidered also with gold, two inches wide, lined white, the same length as the Dukes and Princes, white silk stockings, gold square buckles, red morocco shoes, entirely covering the instep, sword gold handle on the side round hat, cocked before, gold laced with three red wavering feathers.

FOR THE BARONS.

Red coat, long and wide, embroidered or gold laced, 18 lines wide, the lappets whereof be joined almost under the knee, lined with white taffety, waistcoat and breeches of blue taffety, white stockings, gold square buckles, green morocco shoes, entirely covering the instep, sword gold hand mounted on the side, green shoulder belt, embroidered round hat, cocked before, gold laced two white wavering feathers.

FOR THE KNIGHTS.

Blue coat, long and large, embroidered or gold laced, twelve lines wide, the lappets whereof to join almost below the knee, lined with white taffety, waistcoat and breeches of red taffety, white stockings, square gold buckles, green morocco shoes, entirely covering the instep, gold handle sword on the side, green belt, embroidered round hat, cocked before, gold laced, two green wavering feathers.

When there are no grand ceremonies, each one of the Princes, of the grand dignitaries, and of the other Nobles of the kingdom will wear the ordinary costume belonging to his rang, to his grade or to his office.

Done at Cape Henry, April 12th, 1811, eighth year of independence.

Signed, **HENRY.**

BY THE KING,
The Minister Secretary of State,
DUKE OF MORIN.

TABLEAU PHYSIQUE

Des Régions Equatoriales, &c.

PAR

ALEXANDRE DE HUMBOLDT.

Continué du Numéro 44.

Il est difficile de se former une idée des moyens intellectuels des Indiens, d'après l'état de dégradation dans lequel ils sont tombés. Il est toutefois évident que, dans leur condition actuelle, ils sont la classe la moins propre pour gouverner. Les spéculateurs qui ont recommandé l'invasion de l'Amerique Espagnole pour accomplir l'émancipation des Indiens, sont aussi étrangers à leur situation qu'à leur caractere. Les conquêtes des Espagnols dans le Nouveau Monde ont été, à la vérité, accompagnées d'actes de cruauté et

d'injustice, malheureusement inséparables de ces sortes d'entreprises ; mais ce serait encore un crime plus grand que tous ceux dont on accuse Pizarro et Valdivia que d'exciter à la révolte la population indienne des colonies espagnoles, et de l'engager à réclamer le royaume attaché à ses ancêtres. Brutal et emprévoyant, cruel et oppresseur, sans aucun sentiment d'honneur ou de honte, l'Indien peut être arraché à ses vices par une politique sage et éclairée ; mais lui donner l'autorité sur les autres castes, parce que ses ancêtres étaient les premiers possesseurs du pays, ce serait tenter une chose impratiquable, ce serait un acte de méchanceté et de folie, qui surpasserait tous les excès qu'on reproche au fanatisme révolutionnaire ou religieux.

Les Negres, les Mulâtres et les Samboes forment aux yeux de la loi la derniere classe des habitans de l'Amérique Espagnole ; mais l'opinion publique les place au dessus des Indiens. Cette préférence n'est le résultat d'aucune partialité de la part des Espagnols, mais de la grande docilité et de l'intelligence de ces castes comparées avec l'Indien. Quoique cependant l'opinion les favorise, elles sont sujettes aux mêmes tributs et aux mêmes restrictions que les Indiens, sans qu'elles jouissent cependant de leurs priviléges.

Nous croyons que l'indépendance des colonies espagnoles exposerait encore les Indiens à une plus grande dégradation et à une oppression plus réelle. L'expérience prouve que la différence entre les Créoles et les autres castes serait encore plus sensiblement caractérisée sous un gouvernement composé de Créoles que sous une administration qui est étrangere aux préjugés et aux jalousies des Créoles.

Mais en supposant que tous les griefs dont se plaignent les Indiens eussent pu disparaître au moyen de l'indépendance, la justice qu'on avait lieu d'attendre de la métropole était-elle une chose si difficile à obtenir qu'il fallût avoir recours à une mesure aussi extrême que celle de s'en séparer, et même ce qui est encore d'une plus haute importance, ces souffrances étaient-elles de nature à exciter un esprit général de résistance assez fort pour garantir le succès d'une telle tentative ? Nous croyons que les progrès de la prospérité de l'Amérique Espagnole depuis 30 ans, les changemens heureux produits dans la politique de la métropole à l'égard de ses colonies, et la disposition qu'elle a depuis longtems manifestée de consulter leur avantage quand il ne blessait pas le sien, fournissent une réponse suffisante à la premiere de ces questions. Quant à la seconde, le mécontentement dont on parle n'étant point excité par des actes d'une injustice soutenue et d'une violence répétée, n'a ni cette exaltation ni cette étendue qui seules pourraient faire réussir son explosion, il est borné à des classes sans moyens, à des individus sans parti.

Mais d'où pourrait-on conclure qu'il y aurait un vœu prononcé dans l'Amérique Espagnole pour se séparer de la métropole, lorsqu'on voit les provinces Americaines contribuer si généreusement à l'assistance de celle-ci, et lui envoyer tant de millions de dollars pour soutenir la cause dans laquelle elle est engagée ? Nous n'avons vu d'autres symptômes de mouvement dans ces provinces que ceux qu'offrait le peuple dans la crainte qu'il éprouvait que le gouvernement n'abandonnât la cause de la mere patrie et celle du roi légitime. L'insurrection de Mexico n'avait pas d'autre but et la déposition du vice-roi n'a pas eu d'autre cause.

Qu'il y ait en Amérique des esprits turbulens qui ne voient de remede à leurs souffrances réelles ou imaginaires, que dans une guerre civile, cela se conçoit, dans un pays surtout si éloigné du centre du gouvernement. Mais la masse du peuple est fermement attachée à la métropole et résistera dans tous les tems aux tentatives qui seront faites pour l'en séparer.

La Junte Espagnole a prévenu en grande partie les commotions préparées ou méditées par des hommes turbulens, lorsqu'elle a déclaré que les possessions de la couronne

d'Espagne en Asie et en Amérique ne seraient plus considérées comme colonies, mais qu'elles feraient parties intégrantes de l'Empire Espagnol, égales en droits et en pouvoir, avec la métropole. Certes, jamais aucun souverain ne tentera de dés avouer cette déclaration et l'on peut regarder dès ce moment les colonies espagnoles comme ayant autant d'indépendance que pourrait leur en procurer une insurrection qui succéderait dans son but

Aussi long-tems que la vieille Espagne luttera pour son indépendance, c'est le devoir de la Nouvelle de lui continuer l'assistance libérale qu'elle lui a déjà procurée. Et si malheureusement les braves Espagnols venaient à succomber, leurs freres d'Amérique s'empresseraient sans doute d'offrir un asile à des hommes qui auront préféré l'exil à l'esclavage, et qui n'auront quitté leur terre natale qu'après avoir glorieusement combattu pour en chasser l'ennemi. L'Amérique deviendrait alors le seul dépôt, le dépôt sacré des institutions, du langage, des usages de la Vieille Espagne, la seule héritiere des grands souvenirs qui s'attachent au nom Espagnol

Nous donnerons ici quelques détails sur quelques-unes des grandes fortunes du Mexique qui quoiqu'invraisemblables n'en sont pas moins attestés par des documens authentiques. Le Comte de Valanciana jouit d'un revenu annuel de 2,200,000 francs, quelquefois il a retiré dans une année 6,000,000 de francs du produit de sa mine. Le Duc de Monte Léone qui réside à Naples, mais qui est l'héritier des propriétés du grand Cortez, a un revenu net de 550000 francs, après avoir payé 125000 francs pour l'administration de ses domaines, et s'il résidait en Espagne son revenu ne serait pas moindre de 1,500,000 francs. Le Marquis de Fuysaga a retiré en six mois de sa mine une revenu net de 20,000,000 de francs.

Près de cette grande opulence on voit la misere la plus complette. On compte dans la ville de Mexico seule de 20 à 30,000 *Saragates* ou *Guachinangos* qu'on ne peut comparer qu'aux Lazaroni de Naples. Tranquilles, sobles ni alarmes, quoique demi-nus, et passant la nuit au milieu des rues.

L'Indien du Mexique est grave, silencieux, mélancolique, à moins qu'il ne soit sous l'influence des liqueurs spiritueuses. Il affecte un air de mystere dans les transactions les moins importantes, et l'on ne voit dans sa contenance aucun symptôme des violentes passions qui l'agitent. Il paroît être privé d'imagination et avoir peu de sensibilité; mais lorsqu'il est élevé convenablement, il montre la plus grande aptitude au travail, un jugement sain, juste et délié La musique nationale est triste et mélancolique, et dans les danses nationales, les hommes sont les seuls acteurs, tandis que les femmes restent de côté et sont occupées à leur préparer une boisson qu'ils appellent *pulque*. Cette gravité de caractere est remarquable même parmi les enfans Indiens âgés de 5 ou 6 ans. Les Indiens sont en général excessivement pauvres; et on n'en voit aucuns qui paraissent posséder, même des fortunes modérées. Cependant il en est quelques-uns qui, sous l'apparence de la plus grande misere, cachent des richesses considérables. M. de Humboldt compte plusieurs familles qui ont chacune de 800,000 à 1,000,000 francs. Lorsqu'ils vivent en communautés séparées et sont gouvernés par des magistrats de leur propre nation, ils sont cruellement opprimés. Il existe dans chaque village Indien, sept à huit individus qui vivent dans l'oisiveté aux dépens des autres, et qui s'appuyant de la noblesse de leur origine, usurpent une autorité qui ne sert qu'à retenir ces Indiens dans l'abjection et l'ignorance. Ces Caciques sont ordinairement les seuls Indiens qui entendent la langue espagnole.

Les Indiens et les autres castes sont en général trop dans la dépendance des magistrats espagnols subalternes. Pendant le systême du *répartimente*, les alcades majeurs s'attendaient toujours à retirer pendant les cinq années de leur administration de 30,000 à 100,000 dollars des marchés usuraires qu'ils forçaient les Indiens de conclure avec eux.